

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DARNELL MCGARY,

Plaintiff,

v.

JAY INSLEE,

Defendant.

CASE NO. C23-5388 BHS

ORDER

THIS MATTER is before the Court on PRO SE PLAINTIFF Darnell McGary's Federal Rule of Civil Procedure 60(b) motion to re-open judgment, Dkt. 82, and on McGary's Amended Rule 60(b) motion to re-open, Dkt. 83.

This Court dismissed the bulk of McGary's claims in September 2023. Dkt. 64. It dismissed his remaining claims in November. Dkt. 76. McGary appealed, Dkt. 78, and in February 2024, the Ninth Circuit dismissed the appeal as frivolous. Dkt. 80.

McGary now seeks to re-open the case, apparently arguing that the Court should have granted summary judgment in his favor. Dkt. 83 at 2. He does not address Rule 60(b). The Motions are frivolous and untimely, and they are **DENIED**.

1 The case remains closed. The Clerk shall file on the docket, but shall NOT note  
2 for hearing, any further filings by pro se plaintiff Darnell McGary in this closed case.

3 **IT IS SO ORDERED.**

4 Dated this 16th day of August, 2024.

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7 BENJAMIN H. SETTLE  
United States District Judge  
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